

RAMON JERMAINE SAPP

FULL NAME
SAME AS ABOVE

COMMITTED NAME (if different)

USP VICTORVILLE/PO. BOX 5500

FULL ADDRESS INCLUDING NAME OF INSTITUTION

ADELANTO, CA, 92301

PRISON NUMBER (if applicable)

E-filing

CV 08

1903

FILED

08 APR -9 PM 2:30

RICHARD W. WICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MOW

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RAMON JERMAINE SAPP

CASE NUMBER

PJH

To be supplied by the Clerk

PLAINTIFF,

v.

SAN FRANCISCO POLICE DEPT.
(Dept 38)

DEFENDANT(S).

CIVIL RIGHTS COMPLAINT
PURSUANT TO (Check one)☒ 42 U.S.C. § 1983☐ Bivens v. Six Unknown Agents 403 U.S. 388 (1971)

(PR)

A. PREVIOUS LAWSUITS

1. Have you brought any other lawsuits in a federal court while a prisoner: ☐ Yes ☐ No
2. If your answer to "1." is yes, how many? _____

Describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on an attached piece of paper using the same outline.) The Complaint gives rise to allegation that law enforcement used unnecessary force at all times against Sapp during his arrest, while discharging their weapons, and that they used unnecessary force during the arrest when they hit and kicked Sapp after the shooting, and at all times making inappropriate comments and racial slurs, subjecting Sapp to torture, and other cruel and inhuman, degrading treatment, punishment. At all times herein Defendant's then violated the principles of Medical Ethics relevant to the role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and other cruel, inhuman or degrading Treatment or Punishment. They shot at him 114 times and turned in gun clips that reported only 43 shots made. The Oakland Police who cleaned up the spray of bullets reported that 114 bullets were shot 43 were reported which leaves 70 bullets shot and unaccounted for.

RAMON JERMAINE SAPP,

Plaintiff,

v.

SGT. M. LALOR, OFFICER B. WOO,
OFFICER K. EDISON, OFFICER V. ETCHEBER,
OFFICER D. NASTARI, OFFICER C. FABRI,
OFFICER T. BOES, OFFICER B. PEAGLER,
INSPECTOR HOLLORAN, SAN FRANCISCO POLICE
DEPARTMENT, AGENT P. BERMUDEZ, AGENT L.
LAGAREJOS, AGENT M. LAGAREJOS, AGENT V.
JACKSON, AND ALL OTHER DEFENDANTS PRESENT-
LY UNKNOWN,

Defendants.

- a. Parties to this previous lawsuit:
 Plaintiff _____ N/A

 Defendants _____ N/A

- b. Court _____ N/A

- c. Docket or case number _____ N/A
- d. Name of judge to whom case was assigned _____ N/A
- e. Disposition (For example: Was the case dismissed? If so, what was the basis for dismissal? Was it appealed? Is it still pending?) _____
- f. Issues raised: _____ N/A

- g. Approximate date of filing lawsuit: _____ N/A
- h. Approximate date of disposition _____ N/A

B. EXHAUSTION OF ADMINISTRATIVE REMEDIES

1. Is there a grievance procedure available at the institution where the events relating to your current complaint occurred? ☐ Yes ☒ No
2. Have you filed a grievance concerning the facts relating to your current complaint? ☒ Yes ☐ No
 (a claim with the San Francisco Police Department)
 If your answer is no, explain why not _____

3. Is the grievance procedure completed? ☒ Yes ☐ No
 If your answer is no, explain why not _____

4. Please attach copies of papers related to the grievance procedure.

C. JURISDICTION

This complaint alleges that the civil rights of plaintiff Ramon Jermaine Sapp
(print plaintiff's name)
 who presently resides at U.S. Penitentiary - P.O. Box 5500 - Adelanto, CA 92301
(mailing address or place of confinement)
 were violated by the actions of the defendant(s) named below, which actions were directed against plaintiff at/ in
the City and County of San Francisco
(institution/city where violation occurred)

on (date or dates) 2/27/02, 2/27/02, _____
(Claim I) (Claim II) (Claim III)

NOTE: You need not name more than one defendant or allege more than one claim. If you are naming more than five (5) defendants, make a copy of this page to provide the information for additional defendants.

1. Defendant Sgt. M. Lalor _____ resides or works at _____
 (full name of first defendant)
San Francisco Police Department _____
 (full address of first defendant)
Police Officer - Sargent _____
 (defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☐ official capacity.

Explain how this defendant was acting under color of law: At the time the claims alleged in this complaint arose, Sgt. Lalor was acting as a police officer

and under color of State and federal law.

2. Defendant Officer B. Woo resides or works at
(full name of first defendant)
San Francisco Police Department
(full address of first defendant)
Police Officer
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☐ official capacity.

Explain how this defendant was acting under color of law: At the time the claims alleged in this complaint arose, Officer Woo was acting as a San Francisco Police Officer and under color of State and federal law.

3. Defendant Officer K. Edison resides or works at
 (full name of first defendant)
San Francisco Police Department
 (full address of first defendant)
Police Officer
 (defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☐ official capacity.

Explain how this defendant was acting under color of law: At the time the claims alleged in this complaint arose, Officer Edison was acting as a San Francisco Police Officer and under color of State and federal law.

4. Defendant OFFICER D. NASTARI resides or works at
(full name of first defendant)
SAN FRANCISCO POLICE DEPT
(full address of first defendant)
POLICE OFFICER
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☐ individual ☐ official capacity.

Explain how this defendant was acting under color of law: At the time the claims alleged in this complaint arose, officer Nastari was acting as a san francisco police officer and under color of State and Federal law.

5. Defendant OFFICER C. FABRI resides or works at
(full name of first defendant)
SAN FRANCISCO POLICE DEPT.
(full address of first defendant)
POLICE OFFICER
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☐ individual ☐ official capacity.

Explain how this defendant was acting under color of law: At the time the claims alleged in this complaint arose, officer Fabri was acting as a San Francisco Police officer and under color of State and Federal Law.

D. CLAIMS*

CLAIM I

The following civil right has been violated:

The allegation of UNNECESSARY FORCE against police officer for using unnecessary force during the arrest in the discharge of their weapons.

The allegation against an unknown police officer for using unnecessary force during the arrest in that they hit and kicked ME after the shooting.

The allegation against a police officer for using unnecessary force during the handcuffing process.

The allegation against a police officer for making inappropriate comments after the shooting .

The allegation against an unknown police officer for using profanity during the event.

Supporting Facts: Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each

DEFENDANT (by name) did to violate your right.

They shot at him 114 times and turned in gun clips that reported only 43 shots made. These individuals knew what they were doing. It didn't take all of these bullets and certainly the extra hitting and kicking they did while he was laying on the ground helpless. The Plaintiff claims the police were standing over him and shooting and he also claims the officers screamed obscenities and I Quote, KILL THIS MOTHER FUCKER.... "KILL HIM"....SHOOT HIM IN THE FUCKEN HEAD....MAKE SURE THE MOTHER FUCKER IS DEAD. The Plaintiff spoke his only defense to the officers. "You guys didn't have to shoot me like this" and the officers replied by swinging and kicking at him yelling and I quote "This mother fucker isn't dead yet"...Son of a Bitch. The Plaintiff was then handcuffed thrown face down on the ground. As a result of thes gun shot wounds his left leg has been amputated from the knee down and his right leg the bullets fractured the bone as well. Left hand has nerve damage also.

**If there is more than one claim, describe the additional claim(s) on another attached piece of paper using the same outline.*

E. REQUEST FOR RELIEF

I believe that I am entitled to the following specific relief:

1. Compensatory Damages in the amount of \$450,000.00 for past injury.
- 2a. Punitive Damages in the Amount of \$1,550,000.00.
- 2b. Compensatory Damages for lost future earnings \$500,000.00
3. Declaratory Relief stating the acts of the defendants were a gross violation of the U.S. Constitution.
4. Equitable Relief in the form of permanent termination from all defendants named in a personal capacity from employ with the San Francisco Police Department and/or any agency of the State of California.

(Date)

(Signature of Plaintiff)

Ramon Sapp #96941-011
United States Penitentiary
P.O. Box 5500
Adelanto, Ca 92301-5155

APR 03 2008

The enclosed letter was processed through special mailing procedures for forwarding to you. The letter has been neither opened nor inspected. If the writer raises a question or problem over which either has jurisdiction, you may wish to return the material for further information and clarification. If the writer encloses correspondence for forwarding to another addressee, please return the enclosure to the above address.

APR - 7 2008
RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RECEIVED

U.S. Dist. Court
450 Golden Gate
San Francisco, Ca.

Legal Mail